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**CITY OF POCATELLO,**

**Petitioner,**

vs.

**GARY SPACKMAN in his capacity as  
Director of the Idaho Department of Water  
Resources, and the IDAHO  
DEPARTMENT OF WATER  
RESOURCES.**

**Respondents.**

**Case No. CV-01-17-67**

**CITIES OF BLISS, BUHL, BURLEY,  
CAREY, DECLO, DIETRICH,  
GOODING, HAZELTON, HEYBURN,  
JEROME, PAUL, RICHFIELD,  
RUPERT, AND WENDELL NOTICE  
OF APPEARANCE**

COME NOW the Cities of Bliss, Buhl, Burley, Carey, Declo, Dietrich, Gooding, Hazelton, Heyburn, Jerome, Paul, Richfield, Rupert, and Wendell (hereinafter “Coalition of Cities”), by and through its attorneys of record, Williams, Meservy & Lothspeich, LLP, and McHugh Bromley, PLLC, and hereby files this *Notice of Appearance* in response to this Court’s *Procedural Order*, dated January 6, 2017. The *Procedural Order* was issued in response to the City of Pocatello’s *Notice of Appeal and Petition for Judicial Review* (January 4, 2016), seeking judicial review of the Director of the Idaho Department of Water Resources’ November 2, 2016

*Order Designating the Eastern Snake Plain Aquifer Ground Water Management Area* (“Final Order”). On November 16, 2016, and in response to the Final Order, the Coalition of Cities filed a *Petition for Reconsideration* with the Director. On December 1, 2016, the Director granted a request for hearing on the Final Order filed by the Sun Valley Company, but did not address the merits of the Coalition of Cities’ outstanding *Petition for Reconsideration*. On December 5, 2016, the Coalition of Cities filed a *Petition to Intervene* with the Director in the underlying administrative proceeding. On December 20, 2016, the Coalition of Cities filed a *Petition for Clarification* with the Director as to the outstanding *Petition for Reconsideration*. On December 27, 2016, the Director granted intervention to the Coalition of Cities in his *Order Granting Petitions to Intervene* (IDWR Docket No. AA-GWMA-2016-001). On December 30, 2016, the Director issued his *Response to Petition for Clarification* asserting judicial review was improper.

The *Procedural Order* states that “a party to the underlying administrative proceeding is not made a named party . . . may file a *Notice of Appearance* in this matter within fourteen (14) days from the issuance of the *Procedural Order*. This Court will treat the *Notice of Appearance* as a *Motion to Intervene* and will treat the party filing the *Notice of Appearance* as an Intervenor.” *Procedural Order* at 2 (footnote omitted).

The Coalition of Cities hereby respectfully notices the Court of its appearance in this proceeding.

DATED this 10<sup>th</sup> day of January, 2017.

WILLIAMS, MESERVY &  
LOTHSPEICH, LLP

-for-

Robert E. Williams  
*Attorneys for Coalition of Cities*

MCHUGH BROMLEY, PLLC



Chris M. Bromley  
*Attorneys for Coalition of Cities*

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 10<sup>th</sup> day of January 2017, I served a true and correct copy of the above and foregoing document by placing a copy of the same in the United States mail, postage prepaid and properly addressed and by e-mail to the following persons:

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